

R01

DOC # 0713463  
11/20/2007 03:12 PM Deputy: SD  
OFFICIAL RECORD  
Requested By:  
WESTERN ENGINEERING

✓ Upon recording mail to:  
State Engineer's Office  
123 W. Nye Lane  
Carson City, NV 89706-0818

Douglas County - NV  
Werner Christen - Recorder  
Page: 1 of 4 Fee: 17.00  
BK-1107 PG- 5427 RPTT: 0.00



OFFICE OF THE STATE ENGINEER

Regarding Permit No. 35495 Certificate Number

This space reserved for  
recorders use only

AFFIDAVIT OF WITHDRAWAL OF WATER RIGHT IN FAVOR OF USE OF WATER  
FOR DOMESTIC WELLS CREATED BY SUBDIVISION OR PARCELLING OF LAND

State of Nevada )  
County of Douglas ) : ss

1. I, WINIFRED M. KAHN, do hereby swear under penalty of perjury that the  
Refer to Exhibit "A"  
assertions of this affidavit are true.

I am the owner of record of all a portion of Permit 35495  
(circle one) permit/certificate no. or decreed right  
as indicated in the records of the Nevada State Engineer.

2. I hereby withdraw an amount of water equivalent to:  
10.1 AFA, for 5 lots within Topaz Vista Estates  
enter a total amount of water equal to the sum of 2.02 afa or 1800 gpd for each proposed lot

acre-feet annually from the water appropriated under Permit 35495  
permit/certificate number or decreed right

The water right or portion of water right withdrawn was appurtenant to the land more  
particularly described as follows: Portions of the SW $\frac{1}{4}$  NW $\frac{1}{4}$  and SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 32,  
Describe land drying up; describe with quarter sections, section,  
T. 10 N., R. 22 E., M.D.B. & M.  
township, range, M.D.B. & M. and assessor's parcel numbers

3. This withdrawal of the water right or portion of the water right is for the purpose of  
having sufficient water available to supply the domestic well of homes located at the place

100

described below and reflected on the attached map:

Portions of the NW $\frac{1}{4}$ , Section 32, T. 10 N., R. 22 E., M.D.B. & M.  
Describe place where water will be used with quarter sections, section, township, range, M.D.B. & M. and

Five (5) lots within Topaz Vista Estates , APN 1022-32-101-001  
assessors parcel numbers and attach map

There are six (6) total lots of which five (5) require water rights.

4. I understand that this withdrawal of all ~~a portion~~ of the above mentioned rights must  
(circle one)

be approved by the Nevada State Engineer in order for this withdrawal to become effective and enforceable.

5. I understand this withdrawal shall become effective upon the date approved by the State Engineer. However, if a final subdivision map is not recorded in the office of the county recorder of the county wherein the land division is located within 18 months after the State Engineer's approval the affiant may petition the State Engineer to void this withdrawal on the basis that all proceedings concerning the division of land have been terminated.

6. I understand once this water right or portion thereof is withdrawn based on the recordation of a final subdivision map recorded in the office of the county recorder of the county wherein the land division is located, as provided in NRS 278.380 (1993), or in the case of a final parcel map as provided in NRS 278.4725 (1993), the process cannot be reversed nor can I claim the water withdrawn as a water right.

7. Upon approval of this withdrawal by the State Engineer, I shall record this *Affidavit of Withdrawal* in the office of the county recorder of the county in which the final subdivision or parcel map is recorded. I shall also record this *Affidavit of Withdrawal* in the office of the county recorder of the county in which the old place of use was located, if it is not the same county.



9. I shall provide the State Engineer's Office with a copy of this recorded *Affidavit of Withdrawal* within thirty (30) days of recording the Affidavit with the county recorder.

DATED: This 10<sup>th</sup> day of October, 2007.

Winifred M. Kahn  
Affiant's signature

2091 Comstock Drive  
Street Address

WINIFRED M. KAHN  
Affiant's printed name

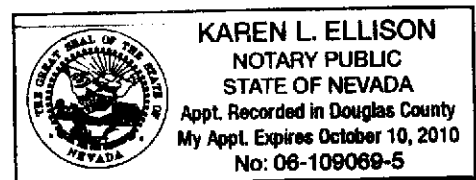
Gardnerville, Nevada 89401  
City State Zip

( )  
Telephone Number

Subscribed and sworn to before me

this 10<sup>th</sup> day of October, 2007.

Karen L. Ellison  
Notary Public signature



Notary Stamp

APPROVED: This 1<sup>st</sup> day of NOVEMBER, 2007.

Jan K. P.E.  
State Engineer's signature

**EXHIBIT "A"**

WINIFRED M. KAHN, TRUSTEE OF TRUST "A" OF THE MORRIS AND WINIFRED M. KAHN FAMILY TRUST OF SEPTEMBER 7, 1993. (31.75%) (Grantee A)

WINIFRED M. KAHN, TRUSTEE OF TRUST "B" OF THE MORRIS AND WINIFRED M. KAHN FAMILY TRUST OF SEPTEMBER 7, 1993. (18.25%) (Grantee B)

WINIFRED H. KAHN, TRUSTEE OF THE SURVIVOR'S TRUST OF THE MORRIS AND WINIFRED M. KAHN FAMILY TRUST OF SEPTEMBER 7, 1993. (50.0%) (Grantee C)

**Refer to Correction Deed # 0439340**